

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHAEL DENTON,

Plaintiff,

v.

PAUL A. PASTOR, et al.,

Defendants.

CASE NO. C17-5075 BHS-TLF

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Theresa L. Fricke, United States Magistrate Judge. Dkt. 202. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Defendants’ Objection and Motion to Strike, Dkt. 201, is **DENIED**;
- (3) Defendants’ Motion for Summary Judgment, Dkt. 173, is **GRANTED in part and DENIED in part** as follows;

- a. Plaintiff’s due process claims against Defendants Jackson and Jones are **DISMISSED without prejudice**;

- 1 b. Plaintiff's claims against Defendants Rhoton, Caruso, James-  
2 Hutchinson, and Braswell-Bouyer are **DISMISSED without prejudice**;  
3 c. Plaintiff's claims based on the one razor policy are **DISMISSED with**  
4 **prejudice**;  
5 d. Plaintiff's access to courts claim is **DISMISSED with prejudice**;  
6 e. Defendants' Motion for Summary Judgment, Dkt. 173, is **DENIED** as  
7 to all other claims;

- 8 (4) The referral to Judge Fricke is terminated, and the parties shall submit a  
9 joint status report no later than January 31, 2022 regarding trial length and  
10 availability.

11 Dated this 24th day of January, 2022.

12  
13 

14 BENJAMIN H. SETTLE  
15 United States District Judge  
16  
17  
18  
19  
20  
21  
22